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Guy M. Hicks
General Counsel

OFFICE OF THE
EXECUTIVE SECRETARY
April 1, 1997
OFFICIAL FILE

PLEASE

Hon. Melvin Malone
Hearing Officer
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37238

DO NOT
Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37238

Re: *BellSouth Telecommunications, Inc.'s Entry Into Long Distance (InterLATA)
Service in Tennessee Pursuant to Section 271 of the Telecommunications Act of
1996*
Docket No. 97-00309

Gentlemen:

This is in response to a question posed to BellSouth Telecommunications, Inc. ("BellSouth") during the March 4 conference in anticipation of the April 3 pre-hearing conference. I have attached 15 copies of this letter for distribution to the Directors and Staff. Copies of this letter have also been provided to the parties submitting comments to the Staff's Section 271 Report.

As background, BellSouth responded to a request from the Tennessee Regulatory Authority ("TRA") made during its February 18 conference by agreeing to provide the TRA with at least 60 days' written notice prior to filing its application with the FCC for approval of in-region long distance authority. During the March 4 conference, Director Malone asked whether BellSouth had agreed in other states to provide notice of its Section 271 application 90 or 120 days prior to the date of its FCC filing. BellSouth was also asked if it would be willing to extend the notice period in Tennessee to 90 days if, in fact, it had agreed to provide such notice in other states as opposed to having been ordered to provide such notice in other states.

The Alabama, North Carolina and Kentucky Public Service Commissions have ordered BellSouth to provide 90 days' notice. The Florida and Georgia Commissions have required 60 days' notice, and the Mississippi Commission has not yet spoken to the issue. The Louisiana and South Carolina Commissions have ordered BellSouth to provide 120 days' notice. The Louisiana order followed a staff recommendation made on February 7, 1997, more than 50 days ago, that 120 days' notice be provided. After assessing the staff's request in the context of other previously scheduled matters in Louisiana, BellSouth agreed to the staff request.

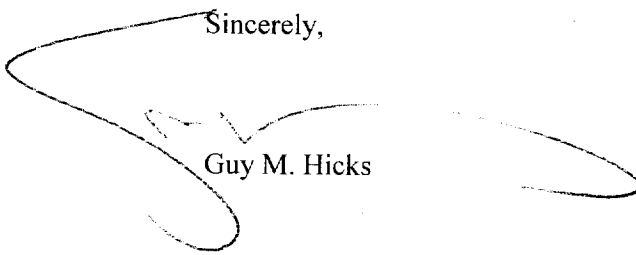
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Except in Louisiana, BellSouth has not agreed to notice periods in excess of 60 days. The scheduling issues confronting the staff in Louisiana on February 7, which included upcoming arbitration and rulemaking hearings, are not present in Tennessee at this time. The TRA has already concluded its arbitration proceedings and approved the AT&T/BellSouth interconnection agreement. In an effort to alleviate any concern the TRA may have with respect to the notice period in Tennessee, however, BellSouth is willing to agree to provide the TRA written notice prior to filing its application for FCC approval for in-region long distance authority at least 90 days prior to the date of BellSouth's FCC filing.

With regard to AT&T's letter filed in this proceeding on March 26, BellSouth agrees with AT&T's statement that no state commission has required BellSouth to file an advance copy of its Section 271 FCC application. However, BellSouth disagrees with AT&T's contention that by virtue of having to file certain supporting evidence in some state 271 proceedings, BellSouth has, in effect, been ordered to prefile its FCC application at such time as BellSouth provides notice to the state of its intention to file with the FCC. AT&T's contention is simply not accurate. Section 271(d)(2)(B) requires the FCC to consult with state commissions in order to verify whether the requirements of Section 271(c) have been met. Therefore, the supporting evidence in state 271 proceedings, if any, should properly be focused on the requirements of Section 271(c), rather than the FCC application itself. There is no requirement that the states review the FCC Section 271 applications.

I hope that this information is helpful and will be pleased to discuss these and any other issues during the April 3 pre-hearing conference.

Sincerely,



Guy M. Hicks

GMH/jem

cc: Bennett L. Ross, Esquire
Edward Phillips, Esquire
Carolyn Tatum-Roddy, Esquire
Jon Hastings, Esquire
Mr. Garry L. Sharp

Dana Shaffer, Esquire
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